

MINUTES
UTAH CERTIFIED SHORTHAND REPORTERS BOARD
October 26, 2000 - 9:00 A.M.
Room 428 - Fourth Floor - Heber Wells Bldg.
160 East 300 South
Salt Lake City, Utah

CONVENED: 9:05 A.M.

ADJOURNED: 11:02 A.M.

PRESENT:

Clyde Ormond, Bureau Manager

Marty Simon, Board Secretary

Board Members:

Lynn Shindurling

Ross E. Young

Rockie Dustin

Mary Bearnson

Diana Kent

ABSENT:

None

GUESTS:

Laura Poe, Assistant Division Director; Doug Borba,
Dept of Commerce Director, Creed Barker, Provo Court
Official.

TOPICS FOR DISCUSSION:

**DECISIONS AND
RECOMMENDATIONS:**

ADMINISTRATIVE BUSINESS:

Minutes

The minutes of the November 17, 1999 board meeting
were approved as written.

Swear in New Board Members

Mr. Ormond administered the oath of office to Mr.
Dustin and Ms. Bearnson. He then reviewed the duties
and responsibilities of a board member as stated in 58-1,
Utah Code Annotated, and R156-1, Administrative
Rules. Copies of the "Orientation and Reference
Manual" that was distributed at the Annual Board
Meeting held on October 18, 2000, were given to those
members who did not attend that meeting.

APPOIINTMENTS:

9:30 A.M.

Denise Kirk

Ms. Kirk could not meet with the Board as scheduled.
She had been issued a temporary license, on
December 2, 1999 by the Division, to allow her to work
as a Certified Shorthand Reporter until she can take the
National Court Reporter Association (NCRA) exam.
Her temporary license expired on September 9, 2000.
Mr. Ormond stated he had received a letter from Ms.

Kirk, dated July 12, 2000, stating she was unable to take the scheduled NCRA exam in May, 1999, so he had

Denise Kirk (cont)

extended her temporary license until October 26, 2000 until the Board could review her application.

The Board decided to extend her temporary license until January 1, 2001. If she does not pass the NCRA exam on November 4, 2000, she will not be granted an extension of the temporary license.

10:00 A.M.
Robin Roberts

Ms. Roberts met with the Board to request an extension of her temporary license as a Certified Shorthand Reporter, issued on July 21, 2000 through October 26, 2000. Ms. Roberts has been working at the Provo Court since August, 2000 and would like to continue to do so until she can take the next scheduled NCRA exam on November 4, 2000

Ms. Roberts was licensed in the state of Washington prior to moving here. She graduated from the Intermountain College of Court Reporting there and passed the RPR exam in April, 2000 with a speed of 200 words per minute as required.

Mr. Creed Barker, a Provo Court Official, spoke in behalf of Ms. Roberts. He stated the court had monitored her abilities closely since hiring her and found her to be highly competent.

A motion was made by Ms. Kent and seconded by Ms. Bearnson to extend her temporary license until six weeks after the November 4, 2000 exam. The motion carried unanimously.

Mr. Barker then requested the Board to extend the time of the temporary license 30 days beyond the above specified time to allow the court time to find a replacement if she does not pass the exam in November, 2000. The Board decided that based upon 58-1-303 (c) (ii), Utah Code Annotated, her temporary license could be extended at that time if she fails the exam.

DISCUSSION ITEMS:

NCRA Exam

The Board discussed the NCRA exam. It was stated that it seems to be quite difficult one time and much

easier the next. The Board discussed the possibility of offering

a state developed exam instead. However, after deliberating they decided it is a consistent and credible exam. They came to the same conclusion decided on years ago that it is beneficial to the profession to continue to require the national NCRA exam for licensure as it is accepted in most other states for licensure.

Issuance of Temporary Licenses

Mr. Ormond requested the Board's opinion on the issuance of temporary licenses. 58-1-303, Utah Code Annotated, allows the Division to issue a temporary license to a person who has met all license requirements, except the passing of an examination, until the person can take the next scheduled examination. He asked the Board whether the Division should extend the temporary license if the person fails that exam. The Board stated they would consider extending it if the person was currently licensed in another state. However, they did not want to ever issue a temporary license to a student who had just graduated from school. Mr. Borba expressed concern about setting precedents that do not comply with the statute. Mr. Ormond read the requirement for temporary license as stated in 58-1. It was decided to adhere to that requirement.

It was mentioned that the NCRA exam is given in four legs (or parts) now. Three parts are practical and the fourth is written. The Board decided that a temporary license should not be given to a person who has only passed some parts of the exam.

The Board then established the following policy regarding the issuance of a temporary license. If a person has passed an exam and become licensed in another state they may be granted one temporary license which will be good until six weeks after the next scheduled NCRA exam. If they don't take and pass that exam they will not be granted an extension of the temporary license. If the person has graduated but has not been previously licensed anywhere else they can not be granted a temporary license. If a person is reinstating their license that has expired longer than two years they must meet with the board to determine requirements to reinstate their license.

Court Reporter's Requirements

When the statute was changed in 1998, the intent was to change the title for this profession to Certified Court Reporter instead of Certified Shorthand Reporter. This was not done throughout the statute and has therefore caused some confusion.

At the last meeting, the Board discussed the alleged conflict of interest that may occur when a Certified Shorthand Reporter (CSR) enters into a contract with a specific company. Mr. Bowen, Division Director, had stated that a free lance CSR should not be bound by the restrictions of those working for the court if they have entered into a contract with a company.

The Board stated there is not any difference between a Certified Shorthand Reporter and a Certified Court Reporter, they actually are all court reporters. The Board stated a CSR is always neutral when taking a deposition therefore, a CSR having a contract with a company does not create a conflict of interest.

Ms. Mary Quinn, President of the Utah Court Reporters Association, will give a presentation on this matter at the next board meeting.

Licensure Requirement

The question arose as to whether a person employed by the court as a court reporter is required to be licensed as a CSR. It was determined that they must be licensed. The person must also meet the requirements of the court reporter's statute as well. The Board discussed whether a judge has the authority to override the requirement for licensure as a CSR when the person is only working for the court. Mr. Ormond quoted from 78-56-103, Utah Code Annotated, which states a person is required by that statute to be licensed as a CSR to even work in a court.

NEXT MEETING:

April 24, 2001

DATE APPROVED

CHAIRPERSON, UTAH CERTIFIED
SHORTHAND REPORTER BOARD

DATE APPROVED

BUREAU MANAGER, DIVISION OF
OCCUPATIONAL & PROFESSIONAL
LICENSING